

INTERNATIONAL SEARCH REPORT

International Application No
PCT/EP2004/010983

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 A61K31/405 C07D209/18 A61P5/00 A61P37/02

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 A61K C07D A61P

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, BIOSIS, INSPEC, CHEM ABS Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

| Category * | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
|------------|---|-----------------------|
| X | PATENT ABSTRACTS OF JAPAN vol. 2003, no. 02, 5 February 2003 (2003-02-05) & JP 2002 281914 A (NISHI NIPPON GREEN KK), 2 October 2002 (2002-10-02) abstract | 1-17 |
| X | PATENT ABSTRACTS OF JAPAN vol. 009, no. 331 (C-321), 25 December 1985 (1985-12-25) & JP 60 161920 A (MASAKI KAMATA), 23 August 1985 (1985-08-23) abstract | 1-17 |
| | ----- -/-- | |

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *G* document member of the same patent family

Date of the actual completion of the international search

2 February 2005

Date of mailing of the international search report

14/02/2005

Name and mailing address of the ISA

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

| Category * | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
|------------|---|-----------------------|
| X | PATENT ABSTRACTS OF JAPAN vol. 010, no. 056 (C-331), 6 March 1986 (1986-03-06) & JP 60 199801 A (MASAKI KAMATA), 9 October 1985 (1985-10-09) abstract | 1-17 |
| A | PATENT ABSTRACTS OF JAPAN vol. 2000, no. 16, 8 May 2001 (2001-05-08) & JP 2001 026579 A (KOBE TENNENBUTSU KAGAKU KK; JAPAN SCIENCE & TECHNOLOGY CORP), 30 January 2001 (2001-01-30) abstract | 1-17 |

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Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 1-4, 7-17
because they relate to subject matter not required to be searched by this Authority, namely:
Although claims 10 and 17 are directed to a method of treatment of non-human animals, the search has been carried out and based on the alleged effects of the composition.
2. ☒ Claims Nos.: 1-4 and 7-17
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

Continuation of Box II.1

Although claims 10 and 17 are directed to a method of treatment of non-human animals, the search has been carried out and based on the alleged effects of the composition.

Continuation of Box II.2

Claims Nos.: 1-4 and 7-17

Present claims 1-4 and 7-17 relate to an extremely large number of possible derivatives of IAA. Support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT is to be found, however, for only a very small proportion of the derivatives claimed. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Consequently, the search has been carried out for those parts of the claims which appear to be supported and disclosed, namely those parts relating to the derivatives of claims 5 and 6. Furthermore, the broad reference to an enzyme capable of converting the derivative into free IAA in claim 4, the lack of disclosure of the features of the conversion mentioned in claim 7, and the lack of disclosure of the requirements/ features of the composition for governmental approval is objected under Articles 5 and 6 PCT.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.

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Information on patent family members

International Application No

PCT /EP2004/010983

| Patent document cited in search report | Publication date | Patent family member(s) | Publication date |
|---|---------------------|----------------------------|---------------------|
| JP 2002281914 | A 02-10-2002 | NONE | |
| JP 60161920 | A 23-08-1985 | NONE | |
| JP 60199801 | A 09-10-1985 | NONE | |
| JP 2001026579 | A 30-01-2001 | NONE | |